

FILED**MINUTES**

OCT 25 2002

CLERK

U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALA.
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISIONHON. MYRON H. THOMPSON, JUDGEAT MONTGOMERY, ALABAMADATE COMMENCED OCTOBER 15, 2002AT 10:00 A.M./P.M.DATE COMPLETED OCTOBER 23, 2002AT 12:10 A.M./P.M.STEPEN R. GLASSROTH,
BEVERLY J. HOWARD

Plaintiffs,

v

ROY S. MOORE, etc.,

Defendant.

MELINDA MADDOX,

Plaintiff,

v

ROY S. MOORE, etc.,

Defendant.

CA NO 01-T-1268-N

CA NO 01-T-1269-N

PLAINTIFF(S)/GOVERNMENTAPPEARANCESDEFENDANT(S)Attys: Morris Dees, Jr., Rhonda
Brownstein, Danielle Lipow,XJ. Richard Cohen, Robert X
Weinberg, William Messer X
Robert Varley XAttys: Herbert Titus, D. Stephen
Melchior, Phillip
JaureguiMitchell Reisner,
Ct RptrCOURT OFFICIALS PRESENT:
Dan Lenerz, Archana Prakash,
Cindy Chung, Law ClerksSheila Carnes,
Ctrm ClkPROCEEDINGS:(x) NONJURY TRIAL
() OTHER PROCEEDING:

10:00 a.m.

Court convened; nonjury trial commenced.

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MINUTES - NONJURY TRIAL COMMENCING OCTOBER 15, 2002, BEFORE JUDGE THOMPSON
CA NO. 01-T-1268-N; STEPHEN R. GLASSROTH v ROY S. MOORE, etc.

10:01 a.m. Plaintiffs' opening statement (Atty Dees; 19 mins).
Video played (objection thereto overruled).
10:21 a.m. Defendant's opening statement (Atty Titus; 16 mins).
Plaintiffs' exhibits to which there are no objections
admitted. Witness Rule invoked.
10:42 a.m. Plaintiffs' evidence commenced.
12:03 a.m. Lunch.
1:07 p.m. Trial continued.
Defendant's exhibits to which there are no objections
(N, W, X, Y, Z, AA, F-K) admitted.
2:25 p.m. Break.
2:45 p.m. trial continued.
Defendant's unnumbered exhibit, re Supreme Court case
offered for admission; matter taken under advisement.
5:15 p.m. Court recessed until 1:30 p.m., 10/16/02.

10-16-02:

1:30 p.m. (Defendant's oral withdrawal of 10/15/02 tender of
exhibits to which there are no objections.)
Court reconvened; trial continued.
Defendants DIRECTED to provide the clerk a clear and
concise list of defendant's exhibits to which there are
no objections (at the break). Defendant's exhibits
HH1, HH2, and HH3 offered; HH1 and HH2 admitted; ruling
reserved on HH3. Plaintiffs' exhibits 44, 45, and 46
offered and admitted. Judge Moore's recent opinion to
be marked and offered as an exhibit; admitted when
provided to clerk. Judge Moore's Cumberland Law Review
Articles to be marked and offered by plaintiffs.
1:38 p.m. Plaintiffs' evidence continued.
3:00 p.m. Break.
3:17 p.m. Trial continued.
Court directs that transcripts are admitted as
secondary evidence to tapes.
4:30 p.m. Break.
4:45 p.m. Trial continued.
5:15 p.m. Court recessed until 9:30, 10/17/02.

10-17-02:

9:45 a.m. In-chambers conference, off the record (re chart with
photos removed from Court's lobby).
Court reconvened; housekeeping matters: 1) certain
persons allowed to sit at bar with defense counsel; 2)
defendant's request to take testimony of experts out of
turn -- request denied. Defendant's withdrawal of
objection to P47; exhibit admitted.

MINUTES - NONJURY TRIAL COMMENCING OCTOBER 15, 2002, BEFORE JUDGE THOMPSON
CA NO. 01-T-1268-N; STEPHEN R. GLASSROTH v ROY S. MOORE, etc.

9:50 a.m. Plaintiffs' evidence continued.
Plaintiffs directed to designate (to dft and Court)
portions of videotapes relied on as evidence in this
case.
10:20 a.m. Break (fire drill).
10:43 a.m. Trial continued.
12:10 p.m. Lunch.
1:12 p.m. In-chambers conference, off the record (re chart).
Trial continued.
2:45 p.m. Break.
3:02 p.m. Trial continued.
Plaintiffs rest (with certain rights reserved).
• Defendant's **oral motion** for judgment as a matter of
law; **motion denied**.
3:30 p.m. Defendant's evidence commenced.
Plaintiffs' objection to proposed testimony of Rabbi
Novak; objection overruled.
5:02 p.m. Break.
5:14 p.m. Trial continued.
5:35 p.m. Break.
5:49 p.m. Trial continued.
6:00 p.m. Court recessed until

10-18-02:

9:00 a.m. Court reconvened; non-jury trial continued.
P36A played in it's entirety.
10:30 a.m. Break.
10:45 a.m. Defendant's evidence continued.
12:00 p.m. Lunch.
1:22 p.m. defendant's evidence continued.
3:25 p.m. Break.
3:50 p.m. Housekeeping matters:
Objections to exhibits heard.
4:05 p.m. Break (re exhibits).
4:35 p.m. Objections to exhibits continued.
5:35 p.m. Court recessed until 9:00 a.m., 10/21/02.

10-21-02:

9:00 a.m. Court reconvened; non-jury trial continued.
10:50 a.m. Break.
11:05 a.m. Non-jury trial continued.

MINUTES - NONJURY TRIAL COMMENCING OCTOBER 15, 2002, BEFORE JUDGE THOMPSON
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12:27 p.m. Lunch.
1:30 p.m. Non-jury trial continued.
2:25 p.m. Defendant rests.
• Defendant's **ORAL MOTION** for Judgment as a Matter of
Law; **ORAL ORDER denying** motion.
2:26 p.m. Plaintiffs' rebuttal evidence.
3:30 p.m. Break.
3:45 p.m. Non-jury trial continued.
5:50 p.m. Court recessed until 9:00 a.m., 10/22/02.

10-22-02:

9:00 a.m. Court reconvened; non-jury trial continued.
10:51 a.m. Break.
11:10 a.m. Non-jury trial continued.
12:05 p.m. Lunch.
1:11 p.m. Non-jury trial continued.
2:48 p.m. Break.
2:54 p.m. Plaintiffs' rebuttal continued.
Plaintiffs' Exh 39, deposition of Arthur Spitzer,
admitted (subject to parties' submission nlt Friday of
highlighted designations); defendants may designate
additional Spitzer exhibits if appropriate at the time
deposition is submitted.
Parties oral stipulations re buildings and dimensions.
Plaintiffs' rest.
4:55 p.m. Break.
5:03 p.m. Defendant's sur-rebuttal evidence.
5:48 p.m. Defendant rests.
Court recessed until 10:00 a.m., 10/23/02 (for oral
arguments).

10-23-02:

10:00 a.m. Court reconvened.
Housekeeping matters: Defendant's exhibits numbered A4
and E16 offered and admitted. Defendant's exhibit O
re-offered; plaintiffs' renewed objection; objection
sustained.
10:13 a.m. Plaintiffs' closing argument (Atty Lipow, 37 mins; Atty
Kahn, 7 mins).
10:58 a.m. Defendant's closing argument (Atty Melchior, 40 mins;
Atty Titus, 22 mins)
12:00 p.m. Plaintiffs' rebuttal (Atty Kahn; 8 mins).
12:08 p.m. Defendant's sur-rebuttal (Atty Titus; 2 mins).
12:10 p.m. Matter taken under advisement.
Court adjourned.

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

STEPHEN R. GLASSROTH, et al

Plaintiffs

v

ROY S. MOORE

Defendant

MELINDA MADDOX

Plaintiff

v

ROY S. MOORE

Defendant

CA NO 01-T-1268-N

CA NO 01-T-1269-N

PLAINTIFFS

DEFENDANT

WITNESS LIST

10-15-02:

1) Stephen Roger Glassroth

2) Beverly Howard

3) Melinda Maddox

10-16-02:

4) Richard Lewis Hobson, Jr.

5) Chief Justice Roy S. Moore

10-17-02

5) Chief Justice Roy S. Moore

10-17-02:

6) Rabbi David Novak

10-18-02:

7) Chief Justice Roy S. Moore

10-21-02:

8) Michael Novak

WITNESS LIST - CA NO 01-T-1268-N/01-T-1269-N; GLASSROTH, et al v MOORE
NONJURY TRIAL COMMENCING 10/15/02 BEFORE JUDGE MYRON H. THOMPSON

REBUTTAL

10-21-02:

9) Edwin Gaustad

10-22-02:

10) Paul Finkelman

11) Randall Balmer

SUR-REBUTTAL:

10-22-02

12) Roy S. Moore

STEPHEN R. GLASSROTH, et al

FILEDPltfs'
EXHIBITS

v

OCT 23 2002

NONJURY TRIAL COMMENCING 10/15/02

ROY S. MOORE

CLERK
U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.**EXHIBITS: TWO BOXES AND TWO LARGE CHARTS -
LOCATED IN EXHIBIT ROOM**Judge Myron Thompson, Presiding
Mitchell Reisner, Court Reporter

ADMITTED	DATE OFFERED	DATE IDENTIFIED	NO	WITNESS	OBJ	DESCRIPTION
Yes	10-18-02	10-18-02	1	-----	X	Defendant's Answers to Plaintiffs' First Set of Interrogatories - Paragraphs 1, 2, 7
Yes	10-18-02	10-18-02	2	-----	X	Defendant's Answers to Plaintiffs' Third Set of Interrogatories to Defendant Moore - Paragraphs 1, 4, 6, 8
Yes **	10-18-02	10-17-02	3	Moore	X	Defendant's Response to Plaintiffs' First Set of Requests to Defendant Moore to Admit Facts and Authenticity of Documents - Paragraphs 1, 2, 3, 4, 5, 10, 11, 13, 15, 16, 17, 18, 19, 20, 21, 23, 25, 26, 28, 29, 31
Yes	10-15-02	10-15-02	3-1	-----		Text of the Monument
Yes	10-15-02	10-15-02	3-2	-----		"Comments of Alabama Supreme Court Chief Justice Roy S. Moore Regarding Monument" (Unveiling Speech)
Yes	10-15-02	10-15-02	3-4	-----		Floor Plan of the Supreme Court Rotunda
Yes	10-15-02	10-15-02	3-5	-----		Letter dated September 12, 2001, from Alvin Holmes to Roy Moore
Yes	10-15-02	10-15-02	3-6	-----		Letter dated September 27, 2001, from Roy Moore to Alvin Holmes
Yes	10-16-02	10-16-02	4	-----	X	Defendant's Response to Plaintiffs' Second Request to Defendant Moore to Admit Facts and Genuineness of Documents - Paragraphs 1, 2, 3, 6, 7, 8, 10, 11, 15, 16, 18, 19
Yes	10-18-02	10-18-02	4A	-----	X	Billboard - "We Support the 'Ten Commandments Judge'"
Yes	10-18-02	10-18-02	4B	-----	X	Billboard - "Still Standing for the Ten Commandments" (color)

In Part

DUPLICATE of: 7-10E ^{4D}

Moore Campaign Fundraising Letter from Kayla Moore

Yes	10-18-02	10-18-02	4E	-----	X	Moore Campaign Letter dated March 1, 2000, from Phillip Jauregui, Jr.
Yes	10-18-02	10-18-02	4F	-----	X	Moore Campaign Letter dated November 24, 2000, from Phillip Jauregui, Jr.
Yes	10-18-02	10-18-02	5	-----	X	Defendant Moore' Response to Plaintiffs' Second Amended Second Request to Defendant Moore to admit Facts and Genuineness of Documents - Paragraph 4, 13
Yes	10-18-02	10-18-02	6	-----	X	Defendant Moore's Response to Order of Magistrate Delories R. Boyd dated April 8, 2002
Yes	10-18-02	10-17-02	6-2	Moore		Billboard - "Still Standing for The Ten Commandments" (color)
Yes	10-18-02	10-18-02	6-10	-----	X	Advocacy Scripts for Telephone Solicitations
Yes	10-16-02	10-16-02	7	Moore		Moore Deposition by Dees (see designations)
Yes	10-18-02	10-17-02	7-1	Moore	X	Billboard - "We Support the "Ten Commandments Judge"
Yes	10-18-02	10-18-02	7-4	-----	X	Billboard - "Still Standing for the Ten Commandments"
Yes	10-18-02	10-18-02	7-15	-----	X	Letter to Charlton Heston dated April 18, 2000
Yes	10-18-02	10-18-02	7-26	-----	X	Letter from Phillip Jauregui, Jr., dated November 24, 2000
Yes	10-18-02	10-18-02	7-37	-----	X	CRM Direct Mail Letter dated December 27, 2001, with "How you can help Chief Justice Moore" flier and note of encouragement
Yes	10-15-02	10-15-02	7-66	-----		Certificate of Appreciation to Stephen R. Glassroth from Chief Justice Moore, November 28, 2001
Yes	10-15-02	10-15-02	7-69	-----		Deed of Gift, Moore to Moore August 1, 2001
Yes	10-15-02	10-15-02	7-72(A)	-----		Letter dated September 27, 2001, from Roy Moore to Alvin Holmes
Yes	10-15-02	10-15-02	7-73	-----		Text of King/Douglass Plaque
Yes	10-15-02	10-15-02	7-76	-----		Memo to Moore from Tuomala
Yes	10-15-02	10-15-02	7-77(B)	-----		Photo - Front view of monument between two pillars
Yes	10-15-02	10-15-02	7-77(E)	-----		Photo - Back view of monument

Yes	10-15-02	10-15-02	7-77(F)	-----		Photo - Top view of monument
Yes	10-15-02	10-15-02	7-77(H)	-----		Photo - Front view of monument
Yes	10-15-02	10-15-02	7-77(I)	-----		Photo - Side view of monument
Yes	10-15-02	10-15-02	7-77(J)	-----		Photo - Side view of monument
Yes	10-15-02	10-15-02	7-77(K)	-----		Photo - "Do Not Touch" sign, ropes and monument
Yes	10-15-02	10-15-02	7-77(L)	-----		Photo - Close view of King/Douglass Plaque
Yes	10-15-02	10-15-02	7-77(M)	-----		Photo - Long view of Bill of Rights Plaque
Yes	10-15-02	10-15-02	7-77(N)	-----		Photo - Close view of Bill of Rights Plaque
Yes	10-15-02	10-15-02	7-77(O)	-----		Photo - Long view of King/Douglass Plaque
			7-79(A)			Moore's Supplemental Affidavit, March 5, 1997
Yes	10-15-02	10-15-02	7-80	-----		Floor Plan for the Supreme Court Rotunda
Yes	10-15-02	10-15-02	7-80(A)	-----		Alabama Supreme Court Rotunda Floor Plan - Enlarged Scale <i>(Large Chart)</i>
Yes	10-18-02	10-16-02	7-86	Moore	X	Moore's Calendar
Yes	10-17-02	10-17-02	7-103	Moore		Karla Moore's Letter
Yes 45	10-16-02	10-16-02	8	Moore		Moore Deposition by Khan
Yes #	10-18-02	10-18-02	9	-----	X	Rogeberg Deposition
Yes	10-18-02	10-18-02	9-44	-----	X	E-mail dated January 29, 2001, Tom Rogeberg to Mary Ann Bunker
Yes	10-18-02	10-18-02	9-45	-----	X	E-mail dated February 27, 2001, from John Aman to Tom Rogeberg
Yes	10-18-02	10-18-02	9-47	-----	X	Letter dated April 10, 2001, from Stephen Melchior to Tom Rogeberg
Yes	10-18-02	10-18-02	9-48	-----	X	Letter dated April 23, 2001, from Stephen Melchior to Tom Rogeberg
Yes	10-18-02	10-18-02	9-53	-----	X	E-mail dated October 31, 2001, from John Aman to Tom Rogeberg, et al
Yes	10-18-02	10-18-02	9-57	-----	X	E-mail dated February 18, 2002, from John Aman to Tom Rogeberg
Yes	10-18-02	10-18-02	9-64	Moore	X	Letter dated March 8, 2001, from Stephen Melchior to Tom Rogeberg
Yes	10-18-02	10-18-02	9-66	-----	X	E-mail dated February 11, 2002, from John Aman to Tom Rogeberg

10-18-02 7-103 4200

Yes	10-18-02	10-18-02	9-68	-----	X	Handwritten notes dated march 3, 2001, re conference call with Melchior
Yes	10-18-02	10-18-02	10	-----	X	Kennedy Deposition
Yes	10-18-02	10-18-02	10-1	-----	X	About Coral Ridge Ministries (CRM)
Yes	10-18-02	10-18-02	10-2	-----	X	Alabama Television Stations - The Coral Ridge Hour
Yes	10-18-02	10-18-02	10-4	-----	X	Alabama Radio Stations - Truths That Transform
Yes	10-18-02	19-18-02	10-6	-----	X	CRM and Chief Justice Roy Moore
Yes	10-17-02	10-17-02	10-7	Moore		Video of CRM Television Program "One True God" (Ten Commandments Monument Installation), October 14, 2001
Yes	10-18-02	10-18-02	10-7(A)	-----	X	Title page of transcript of CRM television program "One True God" (including monument installation), October 14, 2001
Yes	10-17-02	10-17-02	10-8	Moore		Video of CRM Television Program "Ten Commandments on Trial," February 17, 2002
Yes	10-18-02	10-18-02	10-9	-----	X	Title page of transcript of CRM television program "The Ten Commandments on Trial," February 17, 2002
Yes	10-16-02	10-16-02	10-13	Moore		Cassette Tape of CRM radio program "Defending the Ten Commandments" September 6, 2001
Yes	10-18-02	10-18-02	10-14	-----	X	Title page of transcript of CRM radio program "Defending the Ten Commandments" September 6, 2001
Yes	10-17-02	10-17-02	10-15	Moore		Cassette tape of CRM radio program "Laws of Nature, Part I and II"
Yes	10-18-02	10-18-02	10-18	-----	X	Title page of transcript of CRM radio program "The Laws of Nature Part II," September 10, 2001
Yes	10-18-02	10-18-02	10-19	-----	X	CRM Direct Mail Letter, September 10, 2001
Yes #	10-18-02	10-18-02	10-20	-----	X	CRM Direct Mail Letter, December 27, 2001
Yes	10-18-02	10-18-02	10-21(B)	-----	X	CRM Direct Mail Letter, "Monday Morning"
Yes	10-16-02	10-16-02	10-23	Moore		CRM IMPACT - September 2001
Yes	10-18-02	10-18-02	10-26	-----	X	CRM IMPACT - January 2002
Yes	10-18-02	10-18-02	10-28	-----	X	CRM IMPACT - April 2002

Yes	10-18-02	10-18-02	10-32	-----	X	The Coral Ridge Hour Archive
Yes	10-18-02	10-18-02	10-34	-----	X	Truths that Transform Radio Broadcasts Archives - Defending the Ten Commandments
Yes	10-18-02	10-18-02	10-35	-----	X	Reclaiming America for Christ, Moore Petition
Yes	10-18-02	10-18-02	10-36	-----	X	Letter dated February 28, 2001, from Kennedy to Moore
Yes	10-18-02	10-18-02	10-38	-----	X	Letter dated March 5, 2002, from Kennedy to Moore
Yes	10-18-02	10-18-02	10-39	-----	X	Letter dated October 25, 2001, from Kennedy to Moore
Yes	10-18-02	10-18-02	10-62	-----	X	List of CRM television shows featuring Moore and the Ten Commandments
Yes	10-17-02	10-17-02	11	Moore	X	Young Deposition
Yes	10-17-02	10-17-02	11-1	Moore	X	Television Media Plan for Moore
Yes	10-18-02	10-18-02	12	-----	X	Coral Ridge Ministries Amended Privilege Log
Yes	10-15-02	10-15-02	13	-----		<u>Robin v Hardaway</u> . 2 Va Reprts (Jeff) 108 (1772) (Ten Commandments Monument (TCM) source document)
Yes	10-15-02	10-15-02	14	-----		<u>The Federalist</u> No. 43 (James Madison)(TCM source document)
Yes	10-15-02	10-15-02	15	-----		I William Blackstone, Commentaries on the Laws of England 41 (1765) (TCM source document)
Yes	10-15-02	10-15-02	16	-----		H. R. Rep (no. 1693, adopting Pledge of Allegiance (1954) (TCM source document)
Yes	10-15-02	10-15-02	17	-----		I James Wilson, The Works of the Honorable James Wilson 104-06 (Bird Wilson ed. 1804) (TCM source document)
Yes	10-15-02	10-15-02	18	-----		Thomas Jefferson, Notes on the State of Virginia 168-69 (Frank Shuffelton ed. 1999)
Yes	10-15-02	10-15-02	19	-----		George Washington, Farewell Address (1796) (TCM source document)
Yes	10-15-02	10-15-02	20	-----		Judiciary Act of 1789, Sess. I, Ch.20, pp. 73-77 (1789) (TCM source document)
Yes	10-15-02	10-15-02	21	-----		John Jay, Charge to the Grand Jury of the Circuit Court for the District of Vermont (1792) (TCM source document)

Yes	10-15-02	10-15-02	25	-----		"Comments of Alabama Supreme Court Chief Justice Roy S. Moore Regarding Monument" (Unveiling Speech)
Yes *	10-18-02	10-16-02	26	Moore		Transcript of Videotaped Proceedings of the Unveiling of the Monument
Yes	10-17-02	10-17-02	27	Moore	X	Transcript of Coral Ridge Ministries Program "Laws of Nature, Part II"
Yes	10-17-02	10-17-02	28	Moore	X	Transcript of Coral Ridge Ministries Program "Defending the Ten Commandments"
Yes	10-17-02	10-17-02	29	Moore	X	Transcript of Coral Ridge Ministries Program "One True God"
Yes	10-17-02	10-17-02	30	Moore	X	Transcript of Coral Ridge Ministries Program "The Ten Commandments of Trial"
Yes	10-18-02	10-17-02	31	Moore	X	Transcript of Moore's Remarks at the Ten Commandments Rally in Tennessee on December 2, 2001
Yes	10-15-02	10-15-02	32	-----		Excerpt from King James Version of The Holy Bible (1971 ed.)
Yes	10-18-02	10-18-02	33	-----	X	Press Release issued by Moore on November 1, 2001 (sent with letter dated August 5, 2002, by Melchior to plaintiffs)
Yes	10-18-02	10-18-02	34	-----	X	Direct Mail Fundraising Reply Form used by Judge Roy Moore for Chief Justice Campaign Committee (discovery)
Yes	10-17-02	10-17-02	35	Moore		Videotape of Moore's Tennessee Ten Commandments Rally speech on December 2, 2001
Yes	10-15-02	10-15-02	36	-----	X	Videotape of Moore's Ten Commandments Monument installation speech on August 1, 2001
Yes	10-17-02	10-17-02	36A	-----		COMPLETE Videotape of Moore's Ten Commandments Monument installation speech on August 1, 2001
Yes	10-18-02	10-18-02	37	-----	X	Videotape of Two Moore television commercials (see Ex. 4 at para 3 for transcripts)
Yes	10-18-02	10-18-02	38	-----		Compact Disc of one Moore radio commercial (see Ex. 4 at para 6 for transcript)
Yes ##	10-22-02	10-22-02	39	-----		Arthur Spitzer's deposition (with designations)
Yes	10-22-02	10-22-02	39-1	-----		United States Supreme Court: East Pediment

Yes	10-22-02	10-22-02	39-2	-----	United States Supreme Court: West Pediment
Yes	10-22-02	10-22-02	39-3	-----	United States Supreme Court: Figures of Justice
Yes	10-22-02	10-22-02	39-4	-----	United States Supreme Court: The Bronze Doors
Yes	10-22-02	10-22-02	39-5	-----	United States Supreme Court: Courtroom Friezes - North and South Walls
Yes	10-22-02	10-22-02	39-6	-----	United States Supreme Court: Courtroom Friezes - East and West Walls
			39-7		United States Department of Justice: Papinian/Solon/Justinian
			39-8		United States Department of Justice: Constitution
			39-9		United States Department of Justice: Marshal
			39-10		United States Department of Justice: Magna Charta
			39-11		United States Department of Justice: Menes/Moses/Hammurabi
			39-12		United States Department of Justice: Moses
Yes	10-22-02	10-22-02	39-13	-----	United States Supreme Court: Bronze Gate (book cover and two photographs)
Yes	10-22-02	10-22-02	39-14	-----	United States Supreme Court: East Pediment (photograph from ground)
			39-15		United States Navy Memorial & Naval Heritage Center: Quote by Captain John Paul Jones: " I HAVE NOT YET BEGUN TO FIGHT"
			39-16		United States Navy Memorial & Naval Heritage Center: Compass
			39-17		United States Department of Justice: Statue
			39-18		United States Department of Justice: Jesus (close-up)
			39-19		United States Department of Justice: Socrates (close-up)
			39-20		United States Department of Justice: Grotius and Vitoria, with Socrates in background
			39-21		United States Department of Justice: Menes, Moses, and Hammurabi, with stairs showing

Yes	10-22-02	10-22-02	39-22	-----	E. Barrett Prettyman United States Court House - long shot
Yes	10-22-02	10-22-02	39-23	-----	E. Barrett Prettyman United States Court House - showing name of building, not showing column
Yes	10-22-02	10-22-02	39-24	-----	E. Barrett Prettyman United States Court House - Column, Side I (First Amendment)
Yes	10-22-02	10-22-02	39-25	-----	E. Barrett Prettyman United States Court House - Column, Side II (Excerpts)
Yes	10-18-02	10-18-02	39-26	Moore	E. Barrett Prettyman United States Court House - Column, Side III
Yes	10-22-02	10-22-02	39-27	-----	National Archives and Records Administration: Telephone Directory (Jan. 1987) - with Photograph of Lobby, Showing Medallion
Yes	10-22-02	10-22-02	39-28	-----	National Archives and Records Administration: Medallion
Yes	10-22-02	10-22-02	39-29	-----	National Archives and Records Administration: Detail of Medallion with Roman Numerals
Yes	10-22-02	10-22-02	39-30	-----	National Archives and Records Administration: Detail of Medallion with Fasces
Yes	10-22-02	10-22-02	39-31	-----	National Archives and Records Administration: Detail of Medallion with "JVS"
Yes	10-22-02	10-22-02	39-32	-----	National Archives and Records Administration: Detail of Medallion with "HISTORY"
			39-33		United States Navy Memorial & Naval Heritage Center (pamphlet)
			39-34		United States Navy Memorial & Naval Heritage Center - Long Shot (east fountain)
			39-35		United States Navy Memorial & Naval Heritage Center - Detail from West Sculpture Wall
			39-36		United States Navy Memorial & Naval Heritage Center - Lone Sailor Statue (long shot)
			39-37		United States Navy Memorial & Naval Heritage Center - Lone Sailor Statue (close-up)
			39-38		United States Navy memorial & Naval Heritage Center - Quote by President John F. Kennedy

Yes	10-22-02	10-22-02	39-39	-----	Postcard with Photograph of Old Senate Chamber (meeting place of United States Supreme Court from 1860-1935)
Yes	10-22-02	10-22-02	39-40	-----	Postcard with Photograph of Old Supreme Court Chamber (meeting place of United States Supreme Court from 1810-1860)
			39-41		Diagram drawn by deponent Arthur Spitzer at deposition
			39-42		United States Department of Justice: Aquinas and Holmes, with Jesus in background
			39-43		United States Department of Justice: Jesus (distance)
			39-44		United States Department of Justice: Holmes
			39-45		United States Department of Justice: Great Hall
			39-46		United States Department of Justice: Interpretation of the Law
			39-47		United States Department of Justice: Mural showing outlaws and judges
			39-48		List of people depicted in murals in Great Hall, clockwise (excerpted from "rebuttal Fact and Expert Witness Report of John Eidsmoe," served August 13, 2002
			39-49		United States Department of Justice: Papinian, Solon, and Justinian, with stairs showing
			40		Richard L. Hobson, Jr. Deposition (with designations)
Yes	10-15-02	10-15-02	40-303	-----	5/23/01 letter from Thomas F. Parker IV to David Chesak
Yes	10-15-02	10-15-02	40-304	-----	5/30/01 letter from Thomas F. Parker IV to David Chesak
Yes	10-15-02	10-15-02	40-305	-----	6/15/01 letter from Thomas F. Parker IV to David Chesak
Yes	10-15-02	10-15-02	40-306	-----	6/27/01 letter from Thomas F. Parker IV to David Chesak
Yes	10-22-02	10-22-02	41	Finkelman	Paul Finkelman's Expert Report (Plaintiff)
Yes	10-22-02	10-22-02	41-1	Finkelman	Curriculum vitae of Paul Finkelman (attached to report as Exhibit A)
Yes	10-22-02	10-22-02	41-2	Finkelman	Secondary sources (attached to report as Exhibit B)

[illegible]

Dft's
EXHIBITS

STEPHEN R. GLASSROTH, et al

FILED

v

OCT 23 2002

ROY S. MOORE, etc.

CA NO 01-T-1268-N

CLERK
U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.

NONJURY TRIAL COMMENCING 10/15/02

**EXHIBITS: TWO BOXES AND TWO LARGE CHARTS -
LOCATED IN EXHIBIT ROOM**

JUDGE MYRON THOMPSON, PRESIDING
Mitchell Reisner, Court Reporter

ADMITTED	DATE OFFERED	DATE IDENTIFIED	NO	WITNESS	OBJ	DESCRIPTION
Yes	10-18-02	10-18-02	A-1	Moore	X WD	East Portico of U. S. Supreme Court Building
Yes	10-18-02	10-18-02	A-2	Moore	X	East Portico of U. S. Supreme Court Building
Yes	10-18-02	10-18-02	A-3	Moore	X	East Portico of U. S. Supreme Court Building
Yes	10-23-02	10-23-02	A-4	-----		East Portico of U. S. Supreme Court Building
Yes	10-18-02	10-18-02	A-5	Moore	X	Wood Carving on Main Entrance Door to Supreme Courtroom
Yes	10-18-02	10-18-02	B-1	Moore	X	Front of E. Barrett Prettyman Building (United States Court House for District of Columbia)
Yes	10-18-02	10-18-02	B-2	Moore	X	Side of Pylon located in front of E. Barrett Prettyman Building
Yes	10-18-02	10-18-02	B-3	Moore	X	(Dove w/Olive Branch) Portion of Side of Pylon located in front of E. Barrett Prettyman Building
Yes	10-18-02	10-18-02	B-4	Moore	X	(Cross and Decalogue in Hebrew) Portion of Side of Pylon located in front of E. Barrett Prettyman Building
Yes	10-18-02	10-18-02	B-5	Moore	X	(Decalogue on Cloud) Portion of Side of Pylon located in front of E. Barrett Prettyman Building
Yes	10-18-02	10-18-02	B-6	Moore	X	(Woman in Prayer Giving Thanks) Portion of Side of Pylon located in front of E. Barrett Prettyman Building
Yes	10-18-02	10-18-02	B-7	Moore	X	(Preamble to Declaration of Independence; Preamble to U. S. Constitution; Due Process Clause) Side of Pylon located in front of E. Barrett Prettyman Building
Yes	10-18-02	10-18-02	B-8	Moore	X	A Description of the Building and Copies of the Floor Plan of E. Barrett Prettyman Building

			C			George Gurney, <i>Sculpture and the Federal Triangle</i> (Smithsonian Institution 1985)
			C-1			George Gurney, <i>Sculpture and the Federal Triangle</i> , 190, Fig. 112 (Smithsonian Institution 1985) The Great Reception Hall
			C-2			George Gurney, <i>Sculpture and the Federal Triangle</i> , 191 (Fig. 113 (Spirit of Justice) and 114 (Majesty of Law) (Smithsonian Institution 1985)
			C-3			George Gurney, <i>Sculpture and the Federal Triangle</i> , 177, Fig 95 (Interpretation of the Lw) (Smithsonian Institution 1985)
			C-4			Antonio Vasaio, <i>The Fiftieth Anniversary of U. S. Department Building</i> , 43, Plate 32 (Spirit of Justice and Majesty of Law (1934-1984)
			D-1			<i>Art in the United States Capitol</i> (Washington 1978) (p. 283 - Location of twenty-three marble relief portraits over the Gallery Doors of the House of Representatives) (p. 282 - Reliefs in the House Chambers - Lawgivers)
			D-2			Photographs of plaster casts depicting marble relief portraits over the Gallery Doors of the House of Representatives (Raburn Building, Washington, DC)
Yes	10-18-02	10-18-02	E-1	Moore	X	Photo of Pennsylvania Supreme Courtroom (Pennsylvania Capitol Building)
Yes	10-18-02	10-18-02	E-2	Moore	X	Decalogue Mural above the Bench where the Pennsylvania Supreme Court sits to hear oral argument
Yes	10-18-02	10-18-02	E-3	Moore	X	Enlargement of Decalogue Mural in Pennsylvania Supreme Courtroom
Yes	10-18-02	10-18-02	E-4	Moore	X	The Decalogue Mural above the Bench where the Pennsylvania Supreme Court sits to hear oral argument
Yes	10-18-02	10-18-02	E-5	Moore	X	The Scale of the Law Mural - Pennsylvania Supreme Courtroom
Yes	10-18-02	10-18-02	E-6	Moore	X	The Common Law Mural - Pennsylvania Supreme Courtroom
Yes	10-18-02	10-18-02	E-7	Moore	X	The Spirit of Law Mural - Pennsylvania Supreme Courtroom

Yes	10-18-02	10-18-02	E-8	Moore	X	Disarmament Mural (Christ Walking on Agitated Waters - International Law) - Pennsylvania Supreme Courtroom
Yes	10-18-02	10-18-02	E-9	Moore	X	The Beatitudes Mural - Pennsylvania Supreme Courtroom
Yes	10-18-02	10-18-02	E-10	Moore	X	Blackstone's Commentaries - Pennsylvania Supreme Courtroom
Yes	10-18-02	10-18-02	E-11	Moore	X	The Spirit of William Blackstone - Pennsylvania Supreme Courtroom
Yes	10-18-02	10-18-02	E-12	Moore	X	Code of Justinian Mural - Pennsylvania Supreme Court
Yes	10-18-02	10-18-02	E12A	Moore	X	Pamphlet
Yes	10-18-02	10-18-02	E-13	Moore	X	Ceiling Mural depicting Moses with Decalogue - Pennsylvania Supreme Courtroom
			E-14			Ruth Hoover Seitz, <i>Pennsylvania's Capitol</i> (Harrisburg, PA 1995)
Yes	10-18-02	10-18-02	E-15	Moore		Divine Law Mural - Pennsylvania Supreme Courtroom
Yes	10-23-02	10-23-02	E-16	-----		Wording on Divine Law Mural and Decalogue Mural - Pennsylvania Supreme Courtroom
Yes	10-18-02	10-18-02	E-17	Moore		Spirit of Law Mural and Scale of the Law Mural - Pennsylvania Supreme Courtroom
Yes	10-18-02	10-18-02	F	Moore		Partial list of documents and publications studied by Chief Justice Moore
Yes	10-15-02	10-15-02	G	-----		Preliminary sketches and design for Monument created by Chief Justice Moore
Yes	10-15-02	10-15-02	H-1	-----		Language on Front Panel of Monument with Supporting documentation for quotes appearing thereon
Yes	10-15-02	10-15-02	H-2	-----		Language on Left Side panel of Monument with supporting documentation for quotes appearing thereon
Yes	10-15-02	10-15-02	H-3	-----		Language on Back Panel of Monument with supporting documentation for quotes appearing thereon
Yes	10-15-02	10-15-02	H-4	-----		Language on Right Side panel of Monument with supporting documentation for quotes appearing thereon

Yes	10-15-02	10-15-02	I	-----		Deed of Gift
Yes	10-15-02	10-15-02	J	-----		Amended and Restated Lease Agreement
Yes	10-15-02	10-15-02	K	-----		Comments of Alabama Supreme Court Chief Justice Roy S. Moore Regarding Monument
			L-1			Draft of proposed pamphlet/brochure explaining Moral Foundation of Law Monument and Quotes
			L-2			Draft of proposed pamphlet/brochure explaining Moral Foundation of Law Monument and Quotes
Yes	10-18-02	10-18-02	M1	Moore		<i>Our Legal Heritage</i> booklet created by Chief Justice Moore
Yes	10-18-02	10-18-02	M2	Moore		<i>Our Legal Heritage</i> booklet created by Chief Justice Moore
Yes	10-18-02	10-18-02	N	Moore		Names of the Subscribers, <i>Blackstone's Commentaries on the Laws of England</i> , Vol IV (United States Printing)
NO	10-18-02/ 10-23-02	10-18-02	O	Moore	X	James H. Hutson, <i>Thomas Jefferson's Letter to the Danbury Baptists: A Controversy Rejoined</i> , Wm. & Mary Qtrly., 3rd Series, Vol. LVI, Number 4, October 1999
			P			James H. Hutson, <i>Religion and the Founding of the American Republic</i> (Library of Congress, Washington 1998)
			Q			Charles C. Haynes, <i>Religion In American History - What to Teach and How</i> , pp 135-38 (1990); Memorandum from William O. Douglas to Hugo Black, June 11, 1962 re: <i>Engel v Vitale</i>
Yes	10-21-02	10-21-02	R	M Novak	X	Expert Report of Michael Novak
			S			Expert Report of Rabbi David Novak
			T			Expert Report of James R. Stone, Jr.
			U			Expert Report of Father Joseph Jensen
			V			Expert Report of Harold O. J. Brown
Yes	10-15-02	10-15-02	W	-----		Deposition of Stephen R. Glassroth
Yes	10-15-02	10-15-02	X	-----		Deposition of Melinda Maddox
Yes	10-15-02	10-15-02	Y	-----		Deposition of Beverly Howard

Yes	10-15-02	10-15-02	Z-1 thru Z-8	-----		Photographs of Moral Foundation of Law Plaque, Bill of Rights Plaque and Monument Located in Rotunda Area of Alabama State Judicial Building
			AA			Deposition of D. James Kennedy
			BB			Deposition of Edwin Gaustad
			CC			Deposition of Harold O. J. Brown
			DD-1			Deposition of Chief Justice Roy S. Moore (Dees) - Excerpt
			DD-2			Deposition of Chief Justice Roy S. Moore (Khan) - Excerpt
			EE			
			FF			
			GG			
Yes	10-16-02	10-16-02	HH1	-----		Alabama Supreme Court Docket Sheet re Donald Dallas (Montgomery Circuit Court CC- 94-2142.60; Criminal Appeals CR-01-1088
Yes	10-16-02	10-16-02	HH2	-----		United States District Court's 10/15/02 Order Staying Execution of Death-Row Inmate
	10-16-02	10-16-02	HH3	-----	X	Affidavit
Yes	10-17-02	10-17-02	II	-----		Curriculum Vitae of David Novak
Yes	10-22-02	10-21-02	JJ	-----		James Madison, Memorial and Remonstrance Against Religious Assessments 20 June 1785
Yes	10-22-02	10-21-02	KK	-----		Virginia Declaration of Rights 12 June 1776
Yes	10-22-02	10-21-02	LL	-----		Thomas Jefferson, A Bill for Establishing Religious Freedom 12 June 1779 and Virginia, Act for Establishing Religious Freedom 31 Oct. 1785
Yes	10-22-02	10-22-02	MM	-----		George Washington's Reply to the Hebrew Congregation, Newport, Rhode Island, 17 August 1790
Yes	10-22-02	10-22-02	NN 1-7	-----	X	Photos of Themis Monument, USDC, MDA
Yes	10-22-02	10-22-02	OO	-----	X	Chart with Themis Photograph
Yes	10-23-02	10-23-02	PP	-----		Letter Size Copies of Photographs in Exhibit OO
Yes	10-18-02	10-18-02	37-1	-----		Photo

Yes	10-18-02	10-18-02	37-2	-----	Photo
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Yes	10-18-02	10-18-02	37-3	-----	Photo
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Yes	10-18-02	10-18-02	39-13A	-----	Photo
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Yes	10-18-02	10-18-02	39-13B	-----	Photo
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